

Message

From: Starfield, Lawrence [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8A89D6CD217D4254A5879ABECB3F314E-STARFIELD, LAWRENCE]
Sent: 1/26/2021 10:45:47 PM
To: Johnson, Kathleen [Johnson.Kathleen@epa.gov]
Subject: FW: Revocation of an OECA/OGC memo on enforcement
Attachments: Implementation of Executive Order 13892 Section 6_signed 9 18 20.pdf; Transition EO 13892 White Paper 1 20 21.docx

I wasn't able to reach Melissa by phone, so I sent this note. FYI.

From: Starfield, Lawrence
Sent: Tuesday, January 26, 2021 5:45 PM
To: Hoffer, Melissa <Hoffer.Melissa@epa.gov>
Subject: Revocation of an OECA/OGC memo on enforcement

Melissa,

I was reaching out to you today to discuss the idea of adding a bit more information to our joint memo that revokes the policy issued by Susan Bodine and Matt Leopold implementing EO 13892 (attached, FYI). I know you must be incredibly busy, and thought that sending this short note might be more efficient than a phone call.

Clearly President Biden's Executive Order directs us to withdraw EO 13892 and policies like the Bodine/Leopold memo that were issued to implement it, and the revocation memo that was sent to you yesterday would accomplish that. However, based on a conversation I had yesterday with Avi Garbow, I think it may also make sense to try to head off questions about why we would want to withdraw a policy that may be perceived by some as adding helpful procedures. Therefore, I asked my folks to add a couple of sentences to our joint memo that would make clear that we are considering a replacement policy that includes some elements of the prior policy that are consistent with historic best practices or that may be a helpful addition (e.g., the use of consistent nomenclature for some enforcement communications). Such a draft replacement policy could then be presented to the new AA and GC for their consideration when they are on board. I propose to send you a revised memo in the next couple of days that includes these additional points.

In case you are interested in more background on the Bodine/Leopold policy and the concerns that my office and the Region have with it, I am also attaching a white paper that OECA staff prepared.

Please let me know if you have any questions or would like to discuss. . Thanks.

Larry
(202) 505-0961 (cell)

This message is CONFIDENTIAL, and may contain legally privileged information. If you are not the intended recipient, or believe you received this communication in error, please delete it immediately, do not copy, and notify the sender. Thank you.